

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 249A.4 and 2016 Iowa Acts, House File 2460, section 27, the Department of Human Services hereby gives Notice of Intended Action to amend Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” and Chapter 83, “Medicaid Waiver Services,” Iowa Administrative Code.

These changes are proposed to bring administrative rules into compliance with 2015 Iowa Acts, chapter 137, section 149, subsection (1)(q), as amended by 2016 Iowa Acts, House File 2460, section 27, which requires the Department of Human Services to increase the contractual managed care rate floors and the fee-for-service rates and payment limits by 1 percent over the rates in effect April 1, 2016, for providers of home- and community-based service (HCBS) waiver services for which the managed care rate floor is based on the average aggregate reimbursement rate for the fiscal year beginning July 1, 2014.

The outdated language regarding encumbering a portion of the cost of home and vehicle modification over 12 months is also being removed as these paragraphs were to be stricken in a prior rule making that removed the cost of home and vehicle modification from the monthly cap under the waiver program.

These amendments increase fee-for-service upper payment limits and reimbursement rates by 1 percent over the rates in effect June 30, 2016, for providers of HCBS waiver services for which the managed care rate floor is based on the average aggregate reimbursement rate for the fiscal year beginning July 1, 2014.

These amendments also increase managed care, the contractual reimbursement rate floor based on the average aggregate reimbursement rate for the fiscal year beginning July 1, 2014, by 1 percent over the rate floor in effect on April 1, 2016.

The caps on the total monthly cost of HCBS waiver services for members under each waiver and the annual respite limit for the intellectual disability (ID) waiver are also being increased by 1 percent. The increases in the caps are put in place so members may receive the same services after the rate increases.

Finally, these amendments correct the annual limit for specialized medical equipment in Chapter 78 to align with the limit listed in subrule 79.1(2).

Any interested person may make written comments on the proposed amendments on or before December 27, 2016. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to policyanalysis@dhs.state.ia.us.

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 2848C**. The purpose of this Notice is to solicit public comment on that submission, the subject matter of which is incorporated by reference.

These amendments may increase private sector wages for employees providing home- and community-based services under HCBS waiver programs.

These amendments are intended to implement Iowa Code section 249A.4 and 2016 Iowa Acts, House File 2460, section 27.